

Peter B. Fredman (Cal. State Bar No. 189097)
LAW OFFICE OF PETER FREDMAN
125 University Ave, Suite 102
Berkeley, CA 94710
Telephone: (510) 868-2626
Facsimile: (510) 868-2627
peter@peterfredmanlaw.com

David Pivtorak (State Bar No. 255943)
LAW OFFICE OF DAVID PIVTORAK
166 Santa Clara Ave. Suite 205
Oakland, California 94610
Telephone (510) 658-2500
Facsimile: (877) 748-4529
pivtoraklaw@gmail.com

Attorney for Plaintiffs,
GUSTAVO REYES and MARIA
TERESA GUERRERO, husband and wife,
individually, and on behalf of others similarly situated

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GUSTAVO REYES and MARIA TERESA
GUERRERO, husband and wife, individually,
and on behalf of others similarly situated,

Plaintiffs,

v.

WELLS FARGO BANK, N.A., a national
bank; and DOES 1-100, inclusive,

Defendants.

Case No. C 10-01667 (JCS)

CLASS ACTION

**STIPULATION AND (PROPOSED)
ORDER FOR EXTENSION OF
TIME FOR DISCOVERY AND
FILING MOTION FOR CLASS
CERTIFICATION**

WHEREAS, on September 10, 2010, at the Initial Case Management Conference
("CMC"), the Court set a deadline of March 18, 2011 for Plaintiffs to file a motion for class
certification and ordered the parties to commence discovery as necessary;

WHEREAS, on September 22, 2010, pursuant to stipulation, Plaintiffs filed a First
Amended Complaint ("FAC") as discussed at the CMC;

1 WHEREAS, on October 12, 2010, Plaintiffs served class discovery on Defendant as
2 discussed at the CMC; responses were due November 15, 2010.

3 WHEREAS, on October 13, 2010, Defendant filed and served a motion to dismiss the
4 FAC noticing the hearing for November 19, 2010. Thereafter, Plaintiffs requested that the
5 hearing be continued to December 3, 2010 and Defendant accommodated that request amending
6 its notice for that date. Subsequently, the Court continued the hearing date again, setting it for
7 December 17, 2010.

8 WHEREAS, on November 15, 2010, Defendant served responses to discovery that
9 objected to class discovery on the primary grounds of burden and, among others, of the pending
10 motion to dismiss the FAC, which is potentially dispositive.

11 WHEREAS, on November 15-17, 2010, the parties met and conferred regarding
12 Plaintiffs impending motion to compel discovery.

13 THEREFORE, the parties propose the following resolution of the discovery dispute
14 subject to Court approval:

- 15
- 16 1. The deadline for filing the motion for class certification shall be extended from
17 March 18, 2011 to April 29, 2011.
 - 18 2. Defendant will file supplemental discovery responses to the class discovery on
19 December 22, 2010 if the motion to dismiss does not dispose of the action.
 - 20 3. Plaintiffs will not file a motion to compel pending review of the supplemental
21 responses.

22 **IT IS SO STIPULATED**

23 DATE: November 18, 2010

LAW OFFICE OF PETER B. FREDMAN
LAW OFFICES OF DAVID PIVTORAK

24
25
26 By: /s/ Peter Fredman
27 Attorney for Plaintiffs
28

DATE: November 18, 2010

SEVERSON & WERSON
A Professional Corporation

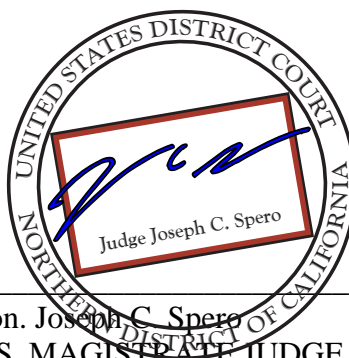
By: /s/ Joshua E. Whitehair
Attorney for Defendant

ORDER

IT IS SO ORDERED

1. The deadline for filing the motion for class certification is extended from March 18, 2011 to April 29, 2011.
2. Defendant will file supplemental discovery responses to the class discovery on December 22, 2010 if the motion to dismiss does not dispose of the action.
3. Plaintiffs will not file a motion to compel pending review of the supplemental responses.

Date: 11/19/10



Hon. Joseph C. Spero
U.S. MAGISTRATE JUDGE